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HAVERSTOCK & OWENS LLP 162 NORTH WOLFE ROAD SUNNYVALE, CA 94086			BRINEY III, WALTER F	
			ART UNIT	PAPER NUMBER
			2644	
DATE MAILED: 12/16/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,888

Applicant(s)

KUMAR ET AL.

Examiner

Walter F Briney III

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. **Claims 9, 10, 43, 44, and 46 are rejected under 35 U.S.C. 102(b) as being anticipated by Yun (US Patent 6,084,949).**

Claim 9 is limited to a method of dialing a telephone number. Yun discloses transmitting data from a personal digital assistant device (figure 2) to a dialing device (figure 1, element 110, 122). Yun discloses that the data includes the telephone number (figure 3, elements 312, 314). Yun discloses transmitting the data from the dialing device (figure 1, element 110) to a communication device (figure 1, element 116), wherein the telephone number is automatically dialed by the communication device (figure 3, element 318). Therefore, Yun anticipates all limitations of the claim.

The new limitation regarding *triggering a dial-tone at the communication device* is treated in the proceeding section entitled Response to Arguments.

Claim 10 is limited to the method as claimed in claim 9, as covered by Yun. Yun discloses saving the telephone number in a dialing device memory (column 3, lines 19-26). Therefore, Yun anticipates all limitations of the claim.

The limitations of new claims 43 and 44 are essentially the same as the limitations of claim 9. However, the new claims specify that the dialing device is

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external to the communications device. Considering figure 1 of Yun, the control unit (110), which has been previously identified as the *dialing device*, is disclosed as being a one-chip microprocessor. See column 3, lines 18-21. It is responsible for the control of the dial unit (116), which has been previously identified as the *communications device*. See column 3, lines 27-42. Clearly, because control unit (110) is a one-chip processor and controls the dial unit (116) they are *external* to each other. Therefore, Yun anticipates all limitations of the claim.

Claim 46 is limited to *the method as claimed in claim 9*, as covered by Yun. As shown in the rejection of claim 9, Yun discloses a *personal digital assistant*. Therefore, Yun anticipates all limitations of the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 11, 13, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yun in view of Satoh et al. (US Patent 5,379,319).**

Claim 11 is essentially the same as claim 9, as covered by Yun, but with the further limitation *wherein the dial-tone is triggered at the communication device after reception of the data*. It is clear from the disclosure of Yun that the hook-switch (112) is manually controlled, and must be placed into an off-hook state prior to the reception of

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autodialing data. Therefore, Yun anticipates all limitations of the claim with the exception of *triggering a dial-tone after reception of the data*.

However, reasons presented with respect to claim 34 suggest that the teachings of Satoh make obvious this particular limitation. Specifically, Satoh teaches that requiring an off-hook state before autodialing is inconvenient (column 1, lines 33-41). In order to resolve this problem, Satoh teaches including off-hook circuitry to allow a communications device to become off-hook in response to an autodialing request (i.e. IR transfer between a phonebook and a telephone). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the flow of Yun to not require an off-hook status, and allowing the phone to take itself off-hook in response to an autodialing request. Also see the examiner's remarks regarding the previous rejection of claim 34 in the proceeding section entitled Response to Arguments.

Claim 13 is limited to the system as claimed in claim 11, as covered by Yun in view of Satoh. Yun discloses that the automatic dialing method requires a dialing unit, and provides an example in figure 1, the dial unit is integral to the communication device. Therefore, Yun in view of Satoh makes obvious all limitations of the claim.

Claim 47 is limited to *the system as claimed in claim 11*, as covered by Yun in view of Satoh. Figure 2 depicts that the transmitting device is *a personal digital assistant*. Therefore, Yun in view of Satoh makes obvious all limitations of the claim.

- 3. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yun in view of Satoh and further in view of Robinson (US Patent 6,408,067).**

Claim 12 is rejected for the same reasons as claim 3.

4. **Claims 1, 2, 4-8, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono et al. (US Patent 5,961,600) in view of Yun.**

Claim 1 is limited to a method of dialing a telephone number comprising. Ono discloses transmitting data from a personal digital assistant (figure 1, element 1) device to a communication device (figure 1, element 2), wherein the data includes the telephone number (figures 5, 6A). Even though Ono discloses transferring the data, there is no suggestion to perform any further function other than storing the results. Therefore, Ono anticipates all limitations of the claim with the exception of automatically dialing the telephone number by a dialing device. Yun teaches of method of extending IR data transmission between a pocket book (figure 2) and a telephone interface device (figure 1) (abstract). Upon completion of a data transfer (figure 3, elements 312, 314), Yun teaches automatically dialing a telephone number (figure 3, element 318). It would have been obvious to one of ordinary skill in the art at the time of the invention to extend the IR data transfer system of Ono to include a telephone dialing function as taught by Yun for the purpose of providing rapid telephone number dialing (column 1, lines 21-44 and lines 64-67).

The new limitation regarding *triggering a dial-tone at the communication device* is treated in the proceeding section entitled Response to Arguments.

Claim 2 is limited to the method as claimed in claim 1, as covered by Ono in view of Yun. Yun teaches that the automatic dialing method requires a dialing unit, and provides an example in figure 1, the dial unit is integral to the communication device. Therefore, Ono in view of Yun makes obvious all limitations of the claim.

Claim 4 is limited to the method as claimed in claim 1, as covered by Ono in view of Yun. Ono discloses that the IR link between a master and slave device includes transmitting a start of communications and waiting for an acknowledgement (i.e. verifying that a connection has been established between the personal digital assistant device and the communication device) (figures 8, 9, 10) (column 9, lines 32-36). Therefore, Ono in view of Yun makes obvious all limitations of the claim.

Claim 5 is limited to the method as claimed in claim 1, as covered by Ono in view of Yun. Yun teaches determining if received data truly represents a number to be called (i.e. further comprising analyzing compatibility of transferred data) (figure 3, element 314). Therefore, Ono in view of Yun makes obvious all limitations of the claim.

Claim 6 is limited to the method as claimed in claim 1, as covered by Ono in view of Yun. Ono discloses that a slave device will transmit a received or acknowledgement signal (i.e. sending a status message) back to a master (i.e. to the personal digital assistant device regarding status of data transmission) (column 9, lines 32-36) (figures, 8, 9, 10). Therefore, Ono in view of Yun makes obvious all limitations of the claim.

Claim 7 is limited to the method as claimed in claim 1, as covered by Ono in view of Yun. Ono discloses that all data is stored in a receive buffer for processing (i.e. further comprising storing the data within a dialing device memory (column 5, lines 51-55) (figure 2, element 9). Therefore, Ono in view of Yun makes obvious all limitations of the claim.

Claim 8 is limited to the method as claimed in claim 1, as covered by Ono in view of Yun. Ono discloses that all data is stored in a receive buffer for processing (i.e.

further comprising storing the data within a communication device memory (column 5, lines 51-55) (figure 2, element 9). Therefore, Ono in view of Yun makes obvious all limitations of the claim.

Claim 45 is limited to *the method as claimed in claim 1*, as covered by Ono in view of Yun. As shown in the rejection of claim 1, Yun discloses *a personal digital assistant*, see figure 2. Therefore, Ono in view of Yun makes obvious all limitations of the claim.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ono in view of Yun and further in view of Robinson.

Claim 3 is limited to the method as claimed in claim 1, as covered by Ono in view of Yun. Even though Ono in view of Yun teach performing a dialing operation, the dialer is clearly integrated within the phone. Therefore, Ono in view of Yun makes obvious all limitations of the claim with the exception wherein the dialing device is an external device linked to the communications device. Robinson teaches the addition of a dialing interceptor, that allows outgoing dials to be detected, and a determination is made if extra digits should be added (figures 3, 4). The method of Robinson allows fewer digits to be stored/memorized per outgoing dial string (column 3, lines 1-10). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the dialing interceptor as taught by Robinson in conjunction with the dialing system taught by Ono in view of Yun for the purpose of reducing the amount of numbers memorized per outgoing dial string.

- 6. Claims 14-20 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono in view of Norimatsu (US Patent 6,208,840) and further in view of Yun.**

Claim 14 is limited to an electronic device for automatically dialing a telephone number via a communication device. Ono discloses a data communications circuit (figure 1, element 3) for transferring data including the telephone number (figures 5, 6A) to a communication device (figure 1, element 2) and receiving data from an external source (figure 3). Ono discloses determining that a connection link between two devices has been established (i.e. a verification circuit coupled to the data communications circuit, for verifying that a connection with the communication device has been established) (column 9, lines 22-31) (figures 8, 9, 10). Ono discloses a user interface coupled to the data communications circuit, the verification circuit, and the notification circuit (column 5, lines 41-42) for receiving commands and the data from the user (column 5, lines 42-45). Ono discloses determining and maintaining a connection between devices, however, has no means to identify the connection status to a user. Therefore, Ono anticipates all limitations of the claim with the exception of a notification circuit coupled to the data communications circuit and the verification circuit for informing a user of a status of connection between the personal digital assistant and the communication device. Norimatsu teaches indicating a positive indication of connection between two devices, to allow proper system adjustment (i.e. distance, angle alignment, etc...) (column 1, lines 9-20). It would have been obvious to one of ordinary skill in the art at the time of the invention to include alerting means for indicating to a user that a positive connection between two IR linked devices exists as taught by Norimatsu for the purpose of allowing proper system adjustment.

The new limitation regarding *a data communications circuit for triggering a dial-tone at the communication device* is clearly directed toward making an outgoing call based on the received data. Therefore, neither Ono nor Norimatsu makes obvious the limitation of *a communications circuit for triggering a dial-tone at the communications device*.

Yun teaches of method of extending IR data transmission between a pocket book (figure 2) and a telephone interface device (figure 1) (abstract). Upon completion of a data transfer (figure 3, elements 312, 314), Yun teaches automatically dialing a telephone number (figure 3, element 318). In particular, the hook-switch (112), which comprises-in-part *the data communications circuit* is responsible for *triggering a dial-tone* upon going off-hook. It would have been obvious to one of ordinary skill in the art at the time of the invention to extend the IR data transfer system of Ono to include a telephone dialing function as taught by Yun for the purpose of providing rapid telephone number dialing (column 1, lines 21-44 and lines 64-67).

Claim 15 is limited to the electronic device as claimed in claim 14, as covered by Ono in view of Norimatsu and further in view of Yun. Ono discloses a display coupled to the user interface (figure 2, element 10) for viewing of data input received and transmitted (column 5, lines 56-65). Therefore, Ono in view of Norimatsu and further in view of Yun makes obvious all limitations of the claim.

Claim 16 is limited to the electronic device as claimed in claim 14, as covered by Ono in view of Norimatsu and further in view of Yun. Ono discloses a microprocessor (figure 2, element 8) coupled to the data communications circuit, the verification circuit,

the notification circuit, and the user interface for execution of programmed instructions. Therefore, Ono in view of Norimatsu and further in view of Yun makes obvious all limitations of the claim.

Claim 17 is limited to the electronic device as claimed in claim 14, as covered by Ono in view of Norimatsu and further in view of Yun. Ono discloses a data storage medium (figure 2, elements 7, 9) coupled to a microprocessor and the data communications circuit for storing received data (column 5, lines 36-40, 51-55). Therefore, Ono in view of Norimatsu and further in view of Yun makes obvious all limitations of the claim.

Claim 18 is limited to the electronic device as claimed in claim 14, as covered by Ono in view of Norimatsu and further in view of Yun. Ono discloses that the data communications circuit transfers data via an infra-red connection (column 4, lines 28-50). Therefore, Ono in view of Norimatsu and further in view of Yun makes obvious all limitations of the claim.

Claim 19 is limited to the electronic device as claimed in claim 14, as covered by Ono in view of Norimatsu and further in view of Yun. Ono discloses that the data communications circuit transfers data via a wired connection (column 4, lines 33-36). Therefore, Ono in view of Norimatsu and further in view of Yun makes obvious all limitations of the claim.

Claim 20 is limited to the electronic device as claimed in claim 14, as covered by Ono in view of Norimatsu and further in view of Yun. Ono discloses that the data communications circuit transfers data via a wireless connection (column 4, lines 33-36).

Therefore, Ono in view of Norimatsu and further in view of Yun makes obvious all limitations of the claim.

Claim 48 is limited to *the electronic device as claimed in claim 14*, as covered by Ono in view of Norimatsu and further in view of Yun. Ono depicts in figure 1 *a personal digital assistant* (1). Therefore, Ono in view of Norimatsu and further in view of Yun makes obvious all limitations of the claim.

7. Claims 21-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yun in view of Ono.

Claim 21 is limited to a communication device. Yun discloses a microprocessor configured to execute programmed instructions (figure 1, element 110). Yun discloses a dialing device coupled to the microprocessor to automatically dial a telephone number (figure 1, element 116). Yun discloses a data receiving circuit coupled to the microprocessor and to the dialing device for receiving data from a personal digital assistant device (figure 1, element 122). Yun discloses receiving IR signals, but does not disclose the details of how such a connection can possibly be established.

Therefore, Yun anticipates all limitations of the claim with the exception of a first data transmitting circuit coupled to the microprocessor for transmitting data, and status and error messages to the personal digital assistant device. Ono teaches that IR communications require a transmission protocol that verifies if transmission is possible and not subject to poor reception (column 2, lines 36-41). Ono teaches that such a protocol requires identical transceiver devices (e.g. figure 2). The transceiver includes a first data transmitting circuit (figure 2, element 31) The transceivers initiate a protocol

link for communication (figure 8). It would have been obvious to use the identical transceivers as taught by Ono for the purpose of avoiding aborted or corrupted transfers by assuring a proper link.

The new limitation regarding a dialing device coupled to the microprocessor to *trigger a dial-tone at the communication device* is treated in the proceeding section entitled Response to Arguments.

Claim 22 is limited to the communication device as claimed in claim 21, as covered by Yun in view of Ono. Yun discloses that the dialing device (figure 1, element 116) is integrated within the communication device (figure 1). Therefore, Yun in view of Ono makes obvious all limitations of the claim.

Claim 23 is limited to the communication device as claimed in claim 21, as covered by Yun in view of Ono. Yun discloses a user interface (i.e. a standard handset) coupled to the microprocessor and the dialing device for inputting telephone numbers to be dialed by the dialing device (figure 1, element 118). Therefore, Yun in view of Ono makes obvious all limitations of the claim.

Claim 24 is limited to the communication device as claimed in claim 21, as covered by Yun in view of Ono. Yun discloses a data storage medium coupled to the microprocessor, the dialing device and the data receiving circuit for storing received data column 3, lines 18-26). Therefore, Yun in view of Ono makes obvious all limitations of the claim.

Claim 25 is limited to the communication device as claimed in claim 21, as covered by Yun in view of Ono. Yun discloses a data analyzing circuit (figure 1,

element 110) coupled to a microprocessor and to the data receiving circuit for analyzing received data from an external source to determine whether the received data will permit a call to be placed (figure 3, element 312, 314). Therefore, Yun in view of Ono makes obvious all limitations of the claim.

Claim 26 is limited to the communication device as claimed in claim 21, as covered by Yun in view of Ono. Yun discloses a dialing mechanism coupled to a microprocessor for simulating unique touch-pad dial-tones and triggering a dial-tone, and dialing a telephone number (figure 1, element 116) (figure 3, elements 310, 318). Therefore, Yun in view of Ono makes obvious all limitations of the claim.

Claim 27 is limited to the communication device as claimed in claim 21, as covered by Yun in view of Ono. Yun discloses using an infra-red connection (figures 1, 2). Therefore, Yun in view of Ono makes obvious all limitations of the claim.

Claim 28 is limited to the communication device as claimed in claim 21, as covered by Yun in view of Ono. Yun discloses using infra-red connections, and Ono is relied upon to teach proper link protocol. Therefore, Yun in view of Ono makes obvious all limitations of the claim with the exception wherein the first data transmitting circuit includes a wired connection. Ono teaches that infra-red connections between devices can also be performed using wired connections (column 4, lines 33-36). It would have been obvious to one of ordinary skill in the art at the time of the invention to use wired connections as taught by Ono for the purpose of performing data transfer between two devices for the purpose of eliminating the difficulty of setting up an infra-red link.

Claim 29 is limited to the communication device as claimed in claim 21, as covered by Yun in view of Ono. Yun discloses using infra-red connections (i.e. a wireless connection). Therefore, Yun in view of Ono makes obvious all limitations of the claim.

Claim 30 is limited to the communication device as claimed in claim 21, as covered by Yun in view of Ono. Yun discloses that the communication device is a telephone (figure 1). Therefore, Yun in view of Ono makes obvious all limitations of the claim.

Claims 31-33 are mere intended use and hold no patentable weight.

8. Claims 34-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yun in view of Ono and further in view of Satoh et al. (US Patent 5,379,319).

Claim 34 is limited to a dialing device. Yun discloses a microprocessor configured to execute programmed instructions (figure 2, element 130). Yun discloses transferring telephone numbers between a phonebook and a telephone (i.e. a dialing mechanism coupled to the microprocessor and the data receiving circuit for simulating unique touch-pad dial-tones) (column 2, lines 29-46). Yun also discloses a data transmitting circuit coupled to the microprocessor for transmitting data (figure 2, element 138). Therefore, Yun anticipates all limitations of the claim with the exception of transmitting and status and error messages to the communication device. For the same reasons as claim 21, Ono is shown to teach interfacing devices using an IR link. The IR link will require bidirectional transmission of data, status, and error messages (i.e. a data receiving circuit coupled to the microprocessor for receiving data from a

communication device. Yun discloses transmitting DTMF signals to be generated for calling, however, requires that an off-hook state is achieved before such dialing can occur. Therefore, Yun in view of Ono makes obvious all limitations of the claim with the exception of triggering a dial-tone at the communication device. However, Satoh teaches that requiring an off-hook state before autodialing is inconvenient (column 1, lines 33-41). In order to resolve this problem, Satoh teaches including off-hook circuitry to allow a communications device to become off-hook in response to an autodialing request (i.e. IR transfer between a phonebook and a telephone). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the flow of Yun to not require an off-hook status, and allowing the phone to take itself off-hook in response to an autodialing request.

Claim 35 is limited to the dialing device as claimed in claim 34, as covered by Yun in view of Ono and further in view of Satoh. Yun discloses a data storage medium coupled to the microprocessor, the dialing mechanism and the data receiving circuit for storing received data (figure 2, element 136). Therefore, Yun in view of Ono and further in view of Satoh makes obvious all limitations of the claim.

Claim 36 is limited to the dialing device as claimed in claim 34, as covered by Yun in view of Ono and further in view of Satoh. Yun discloses a display coupled to the microprocessor (figure 2, element 134), and Ono teaches it should allow viewing of data input, received and transmitted (column 5, lines 56-65). Therefore, Yun in view of Ono and further in view of Satoh makes obvious all limitations of the claim.

Claim 37 is limited to the dialing device as claimed in claim 34, as covered by Yun in view of Ono and further in view of Satoh. Ono teaches that the IR link between a master and slave device includes transmitting a start of communications and waiting for an acknowledgement (i.e. further comprising a verification circuit coupled to the data receiving circuit and the microprocessor for verifying whether a connection with a communication device has been established) (figures 8, 9, 10) (column 9, lines 32-36). Therefore, Yun in view of Ono and further in view of Yun makes obvious all limitations of the claim.

Claim 38 is limited to the dialing device as claimed in claim 34, as covered by Yun in view of Ono and further in view of Satoh. Yun discloses a data analyzing circuit coupled to the data receiving circuit and the microprocessor for analyzing received data from an external source to determine whether the received data will permit a call to be placed (figure 3, element 314). Therefore, Yun in view of Ono and further in view of Satoh makes obvious all limitations of the claim.

Claim 39 is limited to the dialing device as claimed in claim 34, as covered by Yun in view of Ono and further in view of Satoh. Yun discloses a key input unit (i.e. a second data receiving circuit coupled to the microprocessor for receiving data from an external source) (figure 2, element 132). Therefore, Yun in view of Ono and further in view of Satoh makes obvious all limitations of the claim.

Claims 40-42 are rejected for the same reasons as claims 18-20, respectively.

Response to Arguments

Applicant's arguments with respect to claims 1-48, filed 16 August 2004, have been fully considered but they are not persuasive.

With respect to the 35 U.S.C. 102 rejections of claims 9 and 10, the applicant alleges that Yun does not disclose triggering a dial-tone at the communication device, see page 10 of the applicant's current response; the examiner respectfully disagrees. In particular, the hook-switch (112) depicted in figure 1 must be placed into the off-hook state before dialing occurs. This clearly anticipates the claims since no language has been directed toward the order or means by which the dial-tone is triggered.

In contrast, claim 11 has now been amended to include the limitation wherein a dial-tone is triggered at the communication device after reception of the data. This sufficiently distinguishes the claimed invention from Yun as previously applied. Further treatment of this new claim limitation is provided in the preceding section.

Returning to claims 9 and 10, the applicant alleges that Yun does not disclose a dialing device that is external to the communication device, see page 10; the examiner respectfully disagrees. In particular, claim 9 does not explicitly specify that the dialing device is external, only that it interfaces with the communication device. Thus, figure 1 of Yun clearly anticipates receiving data at the control unit (110), i.e. *dialing device*, and transferring the data to a dial unit (116), i.e. *communications device*.

With respect to the 35 U.S.C. 103 rejections of claims 1-8, the applicant alleges that the combination of Yun and Ono fails to teach triggering a dial-tone at the communication device, see page 11; the examiner respectfully disagrees. This

argument is essentially the same as that regarding claim 9, therefore, the rejections are maintained for the same reasons.

With respect to the 35 U.S.C. 103 rejections of claims 14-20, the applicant alleges that Norimatsu does not teach that the display is located on the apparatus to be communicated with, see page 12; the examiner respectfully disagrees. In particular, Norimatsu teaches that the receiving device, i.e. *the device to be communicated with*, is a phone and performs received signal strength determination and provides a visible message to a user of the phone about communication status, see column 1, lines 26-29. The applicant further alleges that neither Ono nor Norimatsu disclose triggering a dial-tone, however, as shown in the previous section, it is believed that incorporating the teachings of Yun resolves this deficiency.

With respect to the 35 U.S.C. 103 rejections of claims 21-33, the applicant alleges that Norimatsu does not teach a dialing device coupled to the microprocessor to trigger a dial-tone, see page 13; the examiner respectfully disagrees. In particular, the telephone system of Yun includes a hook-switch (112), which is an extension of the dial unit (116). When actuated by a user, it triggers a dial-tone.

With respect to the 35 U.S.C. 103 rejections of claims 34-42, the applicant alleges that the teachings of Satoh do not make up make obvious the limitation of a dialing mechanism for triggering a dial-tone at the communication device, see page 14; the examiner respectfully disagrees. In particular, it has been shown that Yun discloses creating an off-hook state in the telephone system before dialing, however, does not do so before receiving dialing data. The portion of the disclosure of Satoh relied upon

teaches in a general manner that autodialing is burdensome when it requires an off-hook state. In order to solve this, Satoh detects the proximity of a human user and enables autodialing. Upon combining this teaching with the system of Yun, the hook-switch of Yun does not have to be manually closed as the central processor has been modified to close it during an autodialing request when the user is within a desired proximity. Also see column 3, line 38 to column 4, line 10 for a discussion on how the microprocessor of Yun is to be modified for the purpose of enabling autodialing and automatic hook-switch control based on the proximity of the user.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Walter F Briney III whose telephone number is 703-305-0347. The examiner can normally be reached on M-F 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W Isen can be reached on 703-305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WFB
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PRIMARY EXAMINER